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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/865,759   | 05/25/2001  | Phyllis Shapiro      | 708-4057            | 4368             |
| 27123  | 7590        | 06/17/2005           | EXAMINER            |                  |
| MORGAN & FINNEGAN, L.L.P.<br>3 WORLD FINANCIAL CENTER<br>NEW YORK, NY 10281-2101 |             |                      |                     | SMITH, CAROLYN L |
|  |             | ART UNIT             |                     | PAPER NUMBER     |
|  |             | 1631                 |                     |                  |

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
|---------------------------------|-------------|---|---------------------|

EXAMINER

ART UNIT      PAPER

06062005

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The communication, filed on 3/8/05, is non-responsive to the prior office action, mailed 11/1/04, because proper amendment markings have not been used for currently amended claims 1 and 9. For example, the phrase "for interference in" is missing in claim 1, line 1, which was present in the previous set of claims without any deletion markings, filed 7/22/04. Claim 1, line 3, adds the phrase "wherein said red blood cells..."; however, the previous phrase in that position ("wherein the sample") is missing without deletion marks. In addition, the word "which" is deleted even though this word was not found in the previous set of claims. Claim 9 is missing a comma on line 5 which was not deleted by amendment markings. Proper claim amending without missing words or punctuation is requested so that the record can remain clear.

Since the response appears to be bona fide, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a) OR (b) UP TO A MAXIMUM OF SIX MONTHS.

Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the PTO Fax Center. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Fax Center number is (571) 273-8300.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Smith, whose telephone number is (571) 272-0721. The examiner can normally be reached Monday through Thursday from 8 A.M. to 6:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin Marschel, can be reached on (571) 272-0718. Any inquiry of a general nature or relating to the status of this application should be directed to Legal Instruments Examiner Tina Plunkett whose telephone number is (571) 272-0549.

Carolyn Smith  
6/6/05  
09/865759

*Ardin H. Marschel 6/12/05*  
**ARDIN H. MARSCHEL**  
**SUPERVISORY PATENT EXAMINER**